

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RICHARD L. RYNEARSON, III

NO. 2:17-cv-1042

Plaintiff,

v.

ROBERT FERGUSON, Attorney General of  
the State of Washington,

and

TINA R. ROBINSON, Prosecuting Attorney  
for Kitsap County,

Defendants.

DECLARATION OF RICHARD LEE  
RYNEARSON, III IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION

I, Richard Lee Rynearson, III, hereby declare as follows:

1. I am an adult competent to give testimony under oath in a court of law. The information contained herein is based on my personal knowledge and belief.

2. I am retired from the United States Air Force. Beginning while I was in the Air Force, I became very actively engaged online in activism related to preventing police abuse. I also tried to raise awareness of the erosion of civil liberties, and the expansion of executive power, related to the war on terror. To do this, I wrote a blog and engaged actively on various social media sites and internet forums, including Facebook. In particular, I criticized the Obama administration's decision to target and kill American citizens, based solely on executive-branch determinations, using drone strikes outside of war zones.

1           3.       While in the military, I also criticized the Obama administration's decision to  
2 lobby for, sign, and defend on appeal section 1021 of the National Defense Authorization Act  
3 ("NDAA") of 2012, which in my view (and the opinion of District Judge Katherine Forrest of  
4 the Southern District of New York) purports to authorize military detention of American citizens  
5 and lawful permanent residents pursuant to the laws of war—which means without trial and  
6 effectively indefinitely.

7           4.       When I retired from the military, I moved to Bainbridge Island, Washington. My  
8 wife and I decided to move to the Island nearly ten years before I retired, and we bought a  
9 residence on the Island five years before my retirement. Given my interest in defending civil  
10 liberties from encroachment in the post-September-11 era, I was very interested to learn of the  
11 role of Bainbridge Island in the Japanese-American internment—one of the worst civil-liberties  
12 violations in our history. Bainbridge Island was the first location in the United States from which  
13 Japanese-Americans were rounded up and taken to internment camps. The local newspaper, the  
14 Bainbridge Island Review, was one of the few newspapers in the country to take a stand against  
15 the internment, and the support of the community resulted in the Island having one of the highest  
16 rates of return of Japanese-American families after the war ended.

17          5.       Once I learned of this history, and years before I moved to Bainbridge Island, I  
18 began to follow the work of the Bainbridge Island Japanese-American Exclusion Memorial, and  
19 to highlight the good work of the Memorial to preserve this history and to present that history as  
20 a reminder for present-day debates on civil liberties during war. For example, in November of  
21 2014, I blogged about the death of Fumiko Hayashida, an internee from Bainbridge Island who  
22 was featured in an iconic photograph of the internment. My blog post linked to a video about the  
23 Memorial. In November 2015, I shared (on a public Facebook page I managed) a video featuring  
24 Clarence Moriwaki, the founder of the Memorial, discussing the internment. I commented,  
25 "Excellent discussion on American soldiers forcing American citizens onto trains and taking  
26 them to concentration camps here in America. Incredibly important stuff, especially today." In  
27 December 2015, I shared (again on a public Facebook page) a post by Mr. Moriwaki about a

1 petition responding to politicians referencing the internment as a precedent. I stated, “There has  
2 been too much talk of bringing concentration camps back in America and fortunately the  
3 Japanese-American community is sounding the alarm.”

4         6. I shut down my blog when I retired from the military. I shifted my online  
5 advocacy and activism on indefinite-detention and executive-power issues to Facebook, and  
6 particularly two Facebook groups/pages. One is a Facebook group called “WWIII Japanese-  
7 American Internment,” which I started in October 2016. The reference to “World War III” in the  
8 title of the group was meant to refer to the possibility that something like the internment could  
9 happen in some future (or even current) war. When I moved to Bainbridge Island, I began  
10 looking for a Facebook group that was focused on presenting the lessons of the internment’s  
11 history and its relevance for current debates, but discovered that most of the groups focused on  
12 the internment either implicitly or expressly prohibited posts connecting the internment to  
13 current political debates. I therefore started the “WWIII Japanese-American Internment” group  
14 to provide a place to discuss the lessons of the internment for the modern era. Because of that  
15 purpose, the NDAA of 2012 has been a frequent topic of discussion in the group.

16         7. The other Facebook page is called SB 5176 – Block Indefinite Detention. It is  
17 designed to gather support for Washington Senate Bill 5176, which would prohibit Washington  
18 officials from cooperating with any federal effort to exercise the detention authority of section  
19 1021 against citizens or lawful permanent residents in Washington. I started it soon after I  
20 learned of the bill, in February 2017. I stopped actively posting on the page when the bill was not  
21 voted out of committee in this year’s regular session, but plan to revive the page for the 2018  
22 regular session.

23         8. When I began to engage in online speech and discussion about the lessons of the  
24 internment for the modern era, I came to know of or interact with several of the leaders of civic  
25 groups related to the internment in the Seattle area. One was Tom Ikeda, founding Executive  
26 Director of Densho, a Seattle-area nonprofit with the mission to “educate, preserve, collaborate  
27 and inspire action for equity.” Densho “preserve[s] and make[s] accessible primary source

1 materials on the World War II incarceration of Japanese Americans” and present[s] these  
2 materials ... for their historic value and as a means of exploring issues of democracy,  
3 intolerance, wartime hysteria, civil rights and the responsibilities of citizenship in our  
4 increasingly global society.” Another such person was Mr. Moriwaki, the founder and current  
5 board member and spokesperson of the Bainbridge Island Japanese-American Memorial.

6 9. I became disillusioned with many of the leaders in the movement to preserve and  
7 teach the lessons of the internment because they either failed to condemn the indefinite-detention  
8 provisions of the NDAA of 2012 or only weakly condemned that law and continued to strongly  
9 support the politicians who had enacted it. Those politicians include President Obama, who  
10 lobbied for the elimination of an American-citizen exclusion from section 1021 of the NDAA  
11 and signed the bill into law and Governor Inslee, who voted for it when he was a member of  
12 Congress.

13 10. I came to believe that the civic leaders who represented the face of the  
14 internment’s lessons to the public chose to use the internment as a platform to criticize only  
15 Republican politicians (now, chiefly President Trump), and that this lack of evenhandedness  
16 damaged the credibility of the movement. This was brought home to me through my in-person  
17 and online advocacy for SB 5176, when self-identified conservatives routinely responded to my  
18 entreaties to support the bill with the (erroneous) critique that I only cared about the issue now  
19 that President Trump was in office, and that I (or “the left”) had ignored the NDAA when  
20 President Obama signed it.

21 11. Because of this disillusionment, I began to post public criticism of the civic  
22 leaders mentioned above online. For example, in December 2016, I posted a “note” (a long form  
23 post on Facebook akin to a blog post) in the WWII Japanese-American Internment Facebook  
24 group entitled “Why the Next Trains Will Have Densho Bumper Stickers.” In the note, I stated  
25 that “Mr. Ikeda, like so many in the community, in my experience, is a public supporter of  
26 President Obama” and that I had asked him “how he could proclaim ‘let it not happen again’  
27 while at the same time publicly supporting a President who has paved the way for it to happen

1 again” but that he had not answered. I also stated that “Mr. Ikeda is not alone in his hypocrisy,”  
2 and criticized him for calling for his supporters to contact the Los Angeles Times to complain  
3 about the Times publishing a view on the internment with which Mr. Ikeda disagreed, rather than  
4 “fight[ing] bad speech” by “add[ing] our own better speech.”

5 12. I also criticized Mr. Moriwaki, the founder of the Memorial and a figure often  
6 featured in news articles about the Memorial and its lessons for modern politics. For example:

7 a. On February 5, 2017, I posted a “meme” with Mr. Moriwaki’s picture as the  
8 background image with the text “Clarence Moriwaki claims ‘Let it not happen  
9 again’... yet vocally supports Jay Inslee (who voted for the 2012 NDAA which  
10 legalized it happening again) & supports President Obama, who signed the bill into  
11 law and drew criticism from the Executive Director of the ACLU for legalizing  
12 indefinite detention.” I accompanied the meme with the comment “Clarence  
13 Moriwaki, long time president of the Bainbridge Island Japanese American Exclusion  
14 Memorial, vocally and enthusiastically supports two politicians who have expressly  
15 made it ‘legal’ for presidents to once again have our military arrest American citizens  
16 in America without charge or trial and throw them into military prison camps  
17 indefinitely. This is the president of a memorial that has the motto ‘Let It Not Happen  
18 Again....’”

19 b. On February 6, 2017, in response to someone else’s post about SB 5176 in the WWII  
20 Japanese-American Internment group, I commented “Clarence Moriwaki has also  
21 refused to get the word out about this bill on his FB page. It’s like he and Tom Ikeda  
22 would rather President Trump have the power to use the military to arrest Muslim  
23 Americans without charge or trial and throw them into military prisons indefinitely  
24 RATHER than support a bill that would overturn the work of their beloved President  
25 Obama.”

26 c. On February 7, 2017, I shared a story about the Hedges v. Obama lawsuit (which  
27 challenged the NDAA of 2012) to the WWII Japanese-American Internment group

1 with a comment reading, in part, “For those worried about president Trump  
2 disappearing Americans without charge or trial....here is a great interview from the  
3 liberal man, Chris Hedges, who sued the government to stop this unconstitutional  
4 power and he references what happened to our Japanese American neighbors in the  
5 1940s. While Judge Forrest issued an injunction, sadly the appeals court reversed it  
6 and the Supreme Court (which got it wrong in every single case concerning the  
7 Japanese American internment) refused to hear this lawsuit. This is the power that  
8 was signed into law by the politicians that are so vocally celebrated by Clarence  
9 Moriwaki, Tome Ikeda, and even George Takei. Never underestimate the power of  
10 Power to corrupt even those whose parents were victimized.”

- 11 d. On February 5, 2017, I created a Facebook page for the purpose of criticizing Mr.  
12 Moriwaki and calling for his removal from his role as board member and  
13 representative of the Memorial. The Facebook page was initially named “Clarence  
14 Moriwaki of Bainbridge Island,” but the page name was subsequently changed to  
15 “Not Clarence Moriwaki of Bainbridge Island.”
- 16 e. On February 6, 2017, I explained that this page “is meant to be a discussion  
17 concerning our view that public figure, Clarence Moriwaki, President of the  
18 Bainbridge Island Japanese American Exclusion Memorial, is unfit to be the  
19 President or board member for our memorial.”
- 20 f. The page includes general posts about the NDAA of 2012 along with posts critical of  
21 President Obama, Governor Inslee, and Mr. Moriwaki. For example, on February 23,  
22 2017, I posted a photo of President Obama and Governor Inslee with the text, “Jay  
23 Inslee Voted For The NDAA of 2012 Which Gave Presidents The Power to Use the  
24 Military to Indefinitely Detain Americans Without Charge or Trial – Obama Signed It  
25 Into Law and Defended That Power In Court – If This Is Your View of ‘Never Again’  
26 Then You’re Doing It Wrong...”
- 27 g. An example of a post critical of Mr. Moriwaki is a post from February 23, 2017, that

1 states in part “Clarence Moriwaki is a frequent spokesman for Bainbridge Island and  
2 for our memorial and he considers himself a part time journalist and is frequently in  
3 the media representing our community. We think he is a very poor reflection on our  
4 community and our values.”

5 13. Due to these posts and other similar online speech, Mr. Moriwaki filed a report  
6 with the Bainbridge Island Police Department. The police found probable cause to believe that I  
7 intended to harass Mr. Moriwaki using electronic communication repeatedly and at times  
8 anonymously and therefore there was probable cause for a cyberstalking charge. The posts  
9 described in paragraph 12 were all attached to the police report. A true and correct copy of those  
10 screen captures of the posts is attached as **Exhibit A** hereto. Mr. Moriwaki also claimed physical  
11 stalking to the police, but the police department eliminated the stalking charge. The police  
12 department forwarded the cyberstalking report to the Kitsap County Prosecutor.

13 14. Mr. Moriwaki also applied for, and received, an ex parte temporary protective  
14 order. The temporary protective order requires, among other things, that I remove any public  
15 webpages and any Facebook page with Mr. Moriwaki’s name. Order in *Moriwaki v. Rynearson*,  
16 No. 12-17 (Bainbridge Island Mun. Ct. Mar. 13, 2017) (requiring me to “remove public  
17 webpages/Facebook page with Petitioner’s name”). A true and correct copy of the temporary  
18 protective order is attached as **Exhibit B** hereto. The hearing on a permanent protective order has  
19 not yet been held. Because of the temporary protective order, I have de-published the “Not  
20 Clarence Moriwaki of Bainbridge Island” Facebook page. I have also made the WWII Japanese-  
21 American Internment group a non-public, closed group.

22 15. The attorney who represents me in the protective order case communicated on  
23 several occasions with a Kitsap County Deputy Prosecutor. In an email exchange in June 2017  
24 regarding the potential for criminal charges, the prosecutor stated he was not going to charge me  
25 “at this time,” but he was not “formally declining” charges, either. The prosecutor indicated that  
26 he was going to “sit on it” with the hope that I will follow the temporary protective order  
27 described above. The prosecutor further stated that he would “revisit the charging decision” if he



1 got any further referrals about me. A true and correct copy of the email exchange with the  
2 prosecutor dated June 15, 2017 is attached as **Exhibit C** hereto. My understanding is that the  
3 statute of limitations for cyberstalking is two years.

4 16. I would like to resume my criticism of Mr. Moriwaki through online speech not  
5 barred by the temporary protective order or, if that order is lifted, by re-publishing the "Not  
6 Clarence Moriwaki of Bainbridge Island" Facebook page. I also intend to engage in substantially  
7 similar criticism of other civic leaders in the future. I sometimes use provocative rhetoric to  
8 make my critiques about the lack of evenhandedness in applying the lessons of the internment,  
9 for example by analogizing having someone uncritical of the NDAA as the spokesperson of the  
10 Japanese-American Exclusion Memorial as being like a neo-Nazi representing a Holocaust  
11 memorial. I would use similar rhetoric in the future. However, given that the police found  
12 probable cause for cyberstalking based on my past speech, the prosecutor did not decline  
13 charges, and the Kitsap Prosecutor's Office has indicated it is keeping an eye out for any  
14 complaints from my future speech, I have a genuine fear that I am likely to be prosecuted for any  
15 online speech that the target of my criticism finds embarrassing, harassing, or unpleasant.

16 17. Given Mr. Moriwaki's filing of a police report based on my past speech, and the  
17 interconnectedness of the leaders of the various Seattle-area organizations related to the  
18 internment, I also think it is reasonably likely that anything I say critical of any leader in that  
19 movement is likely to be reported to the police or a prosecutor, resulting in a "referral" that  
20 would cause the Kitsap Prosecutor's Office to charge me. For those reasons, I have censored  
21 what I say online since I learned of the police report. In particular, I have made no online  
22 statements about Mr. Moriwaki or Mr. Ikeda, and have stopped making posts in the WWII  
23 Japanese-American Internment Facebook group altogether.

24 I declare under penalty of perjury under the laws of the United States and the State of  
25 Washington that the foregoing is true and correct.

26 Dated: July 11, 2017

DocuSigned by:

*Richard Lee Rynearson III*

Richard Lee Rynearson, III

27  
DECLARATION OF RICHARD LEE RYNEARSON, III  
CASE NO. 2:17-cv-1042 - 8

focal PLLC  
900 1st Avenue S., Suite 201  
Seattle, WA 98134  
Tel (206) 529-4827  
Fax (206) 260-3966



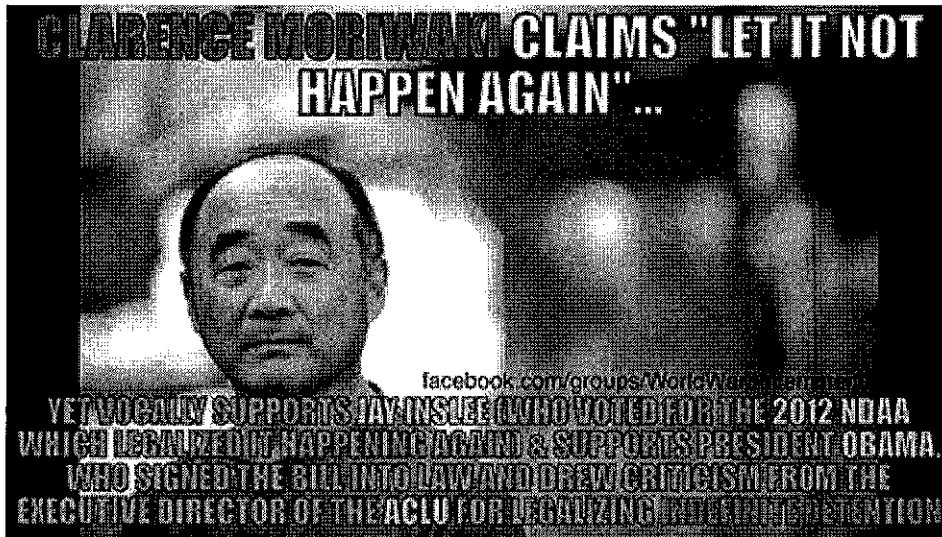
# EXHIBIT A



**Richard Lee**

February 5 at 6:56pm

Clarence Moriwaki, long time president of the Bainbridge Island Japanese American Exclusion Memorial, vocally and enthusiastically supports two politicians who have expressly made it "legal" for presidents to once again have our military arrest American citizens in America without charge or trial and throw them into military prison camps indefinitely. This is the president of a memorial that has the motto "Let It Not Happen Again..."



Like

Share

11

Comments



**Lara O'Neal Jones** I don't believe that targeting a particular person like this is helpful. Please try and focus on positive action.

Like · February 7 at 8:26am



**Richard Lee** Lara, the conversation I want to have is about how our memorial's president not only supports politicians who make what FDR did to Japanese Americans legal to do again, but also how our memorial's president demonizes and shuns those who are different.

How do I have that conversation about a public person in our community who censors and bans those with differing views in personal discussion (and who also left this group that I invited him into after making only one post), while also alleviating your concerns?

**Jason Casella** shared Tenth Amendment Center's post.

January 22 at 9:17am

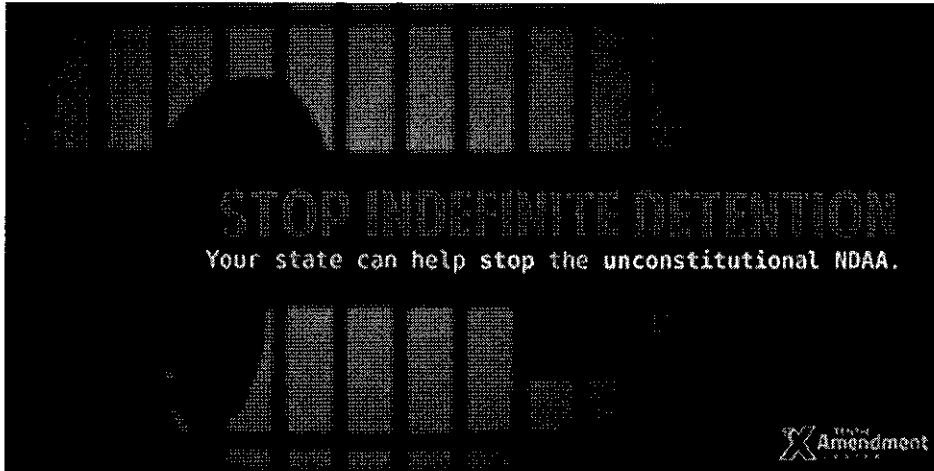


**Tenth Amendment Center** Like Page

January 21 at 4:41pm

"A bill introduced in the Washington state Senate would prohibit the state from assisting the federal government with indefinite detention without due process u...

See More



## Washington Bill Would Help Block Indefinite Detention in the State

OLYMPIA, Wash. (Jan. 20, 2017) – A bill introduced in the Washington state Senate would prohibit the state from assisting the federal government with...

[BLOG.TENTHAMENDMENTCENTER.COM](http://BLOG.TENTHAMENDMENTCENTER.COM)

Like

Share

Seen by 3

22

Comments

View 1 more comment



**Jonathan Songer** Wouldn't it be nice if Washington state honored the Second Amendment too?

Like · 1 · January 28 at 2:11pm



**Richard Lee Clarence Moriwaki** has also refused to get the word out about this bill on his FB page. It's like he and Tom Ikeda would rather President Trump have the power to use the military to arrest Muslim Americans without charge or trial and throw

them into military prisons indefinitely RATHER than support a bill that would overturn the work of their beloved President Obama.

Like February 6 at 7:30am

**Richard Lee** shared a [link](#).

February 7 at 2:38pm

For those worried about president Trump disappearing Americans without charge or trial....here is a great interview from the liberal man, Chris Hedges, who sued the government to stop this unconstitutional power and he references what happened to our Japanese American neighbors in the 1940s. While Judge Forrest issued an injunction, sadly the appeals court reversed it and the Supreme Court (which got it wrong in every single case concerning the Japanese American internment) refused to hear this lawsuit.

This is the power that was signed into law by the politicians that are so vocally celebrated by Clarence Moriwaki, Tom Ikeda, and even George Takei.

Never underestimate the power of Power to corrupt even those whose parents were victimized. How easily



### Chris Hedges NDAA Lawsuit Update

#ChrisHedges#Hedges#science#technology#discover#documentdiscover#Physicists#debate#philosophy#Atheist#  
YOUTUBE.COM

Like

Share

9

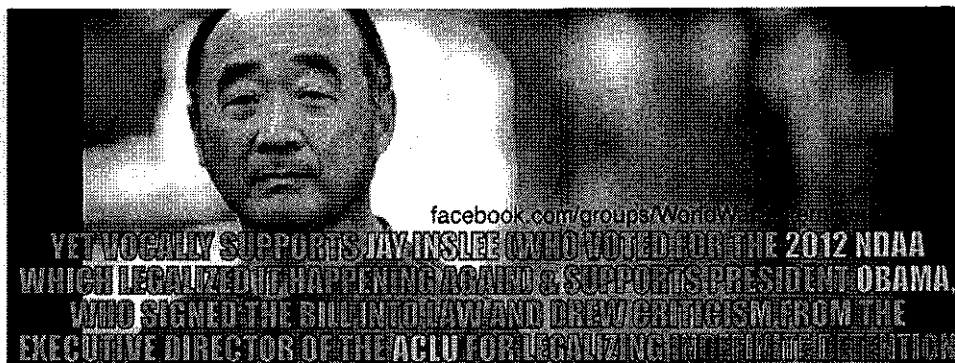
From "Clarence Moriwiki of Bainbridge Island" FB Page



Clarence  
Moriwiki of  
Bainbridge  
Island

@BIClarenceMoriwiki

Like · Comment · Share



Like · Follow · Share

Send Message

## Posts



**Clarence Moriwaki of Bainbridge Island**

February 6 at 8:28am · 🌐



This page is meant to be a discussion concerning our view that public figure, Clarence Moriwaki, President of the Bainbridge Island Japanese American Exclusion Memorial, is unfit to be President or board member for our memorial.

While the goal of this page is to discuss serious issues of public interest, and to be challenging and honest, we also endeavor to ensure any discussion is civil. None of us are perfect and the rebuke of a friend is to be trusted over the kisses of a... See More



### Chris Hedges: NDAA Lawsuit Update

Follow Sierra @

[http://www.twitter.com/sierra\\_adamson](http://www.twitter.com/sierra_adamson) Sierra...

YOUTUBE.COM

[Learn More](#)

👍 Like

💬 Comment

➦ Share

🗨️ 1

Chronological ▾

View 1 more comment



**Clarence Moriwaki of Bainbridge Island** For those unfamiliar with the law that Clarence's beloved politicians passed and signed without so much as a cross word from Clarence who remained their loyal supporter...

<https://youtu.be/RNcbsB1Pizg>



### The NDAA Explained in 3 Minutes - YouTube

YOUTUBE.COM

Like · Reply · 4 hrs

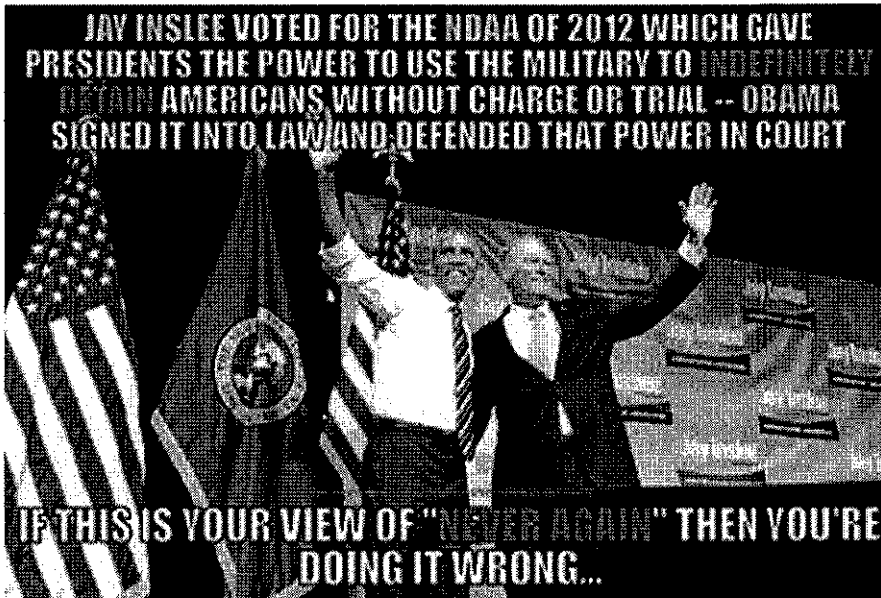




Clarence Moriwaki of Bainbridge Island

21 hrs · 🌐

Clarence Moriwaki worked for one of these politicians and vocally supports both. Is that compatible with "Let It Not Happen Again?" We don't think so.



👍 Like    💬 Comment    ➦ Share

👤 7

1 share



Write a comment...



[See All](#)

## Posts



Clarence Moriwaki of Bainbridge Island added a new photo.

21 hrs · 🌐



**Clarence Moriwaki of Bainbridge Island**

21 hrs · 🌐

Don't know Clarence Moriwaki, the President of the Bainbridge Island Japanese American Exclusion Memorial? He's a public figure who has spent his time a) in public office, b) running for public office, and c) working as a press secretary or in Public Relations as a "media strategist" for politicians in public office.

Clarence Moriwaki is a frequent spokesman for Bainbridge Island and for our memorial and he considers himself a part time journalist and is frequently in the media representing our community.

We think he is a very poor reflection on our community and our values.

**Clarence Moriwaki | LinkedIn**

View Clarence Moriwaki's professional profile on LinkedIn. LinkedIn is the world's largest business network, helping professionals like Clarence Moriwaki discover inside connections to recommended job...

[LINKEDIN.COM](#)[Learn More](#)

👍 Like    💬 Comment    ➦ Share

3



Write a comment...



# EXHIBIT B

RECEIVED  
MAR 13 2017  
POLICE DEPT.

FILED  
MAR 13 2017  
BAINBRIDGE ISLAND  
MUNICIPAL COURT

<b>BAINBRIDGE ISLAND MUNICIPAL COURT</b> <b>Kitsap County, Washington</b>		Mail: PO Box 151, Rollingbay, WA 98061 Location: 10255 NE Valley Rd, Bainbridge Island, WA Phone # 206-842-5641 Fax # 206-842-0316 Email: court@bainbridgewa.gov
CLARENCE MOMWAKI Petitioner (Person Protected),	DOB	No. 17-17 <b>Temporary Protection Order and          Notice of Hearing – Stalking          (TMOSTKH)</b> (Clerk's action required) <i>th</i> Next Hearing Date and Time: 3/27/17 1 PM At: BAINBRIDGE ISLAND MUNICIPAL COURT
vs.		
RICK RYNEARSON aka Respondent (Person Restrained).	DOB	
RICHARD LEE		

**Respondent's Distinguishing Features:**

Caution: Access to weapons: ☐ yes ☐ no  
☒ unknown

**Respondent Identifiers**

Sex	Race	Hair
M	WHITE	BRN
Height	Weight	Eyes
5'8"	230	BRN

The protected person/s is/are the:

- ☒ Petitioner who is 16 years of age or older and filed on his or her own behalf.  
☐ Petitioner/s who is/are the following minor child/ren on whose behalf the petition was filed:

Name (First, Middle Initial, Last)	Age

- ☐ The child/ren's parent or guardian filed the petition; or  
☐ A person who is not the parent or guardian, with whom the child/ren live/s, filed the petition; and the respondent is not the parent.  
☐ Petitioner is a vulnerable adult as defined in RCW 74.34.020 or 74.34.021 on whose behalf the petition was filed. ☐ An interested person filed the petition.

The court has jurisdiction over the parties and the subject matter. The respondent will be served notice of his or her opportunity to be heard at the scheduled hearing.

No contact provisions begin on the next page.

**the end of the hearing, noted above.**

Temp Protection Ord/Nt of Hrg - Stalking (TMOSTKH) - Page 1 of 3

ST-03.0200 (06/2014) RCW 7.92.100, .140



The terms of this order shall be effective until:

Based upon the petition, testimony, and case record, the court finds: 1) that the respondent committed stalking conduct against the protected person/s; 2) that there is good cause to grant each remedy, regardless of the lack of prior service or notice upon the respondent, because the harm which each remedy is intended to prevent would be likely to occur if the respondent were given any prior notice, or greater notice than was actually given, of the petitioner's efforts to obtain judicial relief. **It is ordered that:**

- ☒ **No-Contact:** respondent is **restrained** from having any contact, including nonphysical contact, with the protected person/s directly, indirectly, or through third parties regardless of whether those third parties know of the order, except for mailing or service of process of court documents by a 3rd party or contact by respondent's lawyer/s.
- ☒ **Surveillance:** respondent is **prohibited** from keeping the protected person/s under surveillance, including electronic surveillance.
- ☒ **Exclude from places:** respondent is **excluded** from the protected person/s' ☒ residence ☒ workplace ☐ school ☐ day care ☒ PUBLIC EVENTS WHERE PETITIONER IS PRESENT
- ☒ **Stay Away:** respondent is **prohibited** from knowingly coming within or knowingly remaining within 100 FT (distance) of the protected person/s' ☒ residence ☒ workplace ☐ school ☐ day care.
- ☒ other: REMOVE PUBLIC WEBSITES WITH PETITIONER'S NAME FROM FACEBOOK PAGE
- The address is confidential ☒ The petitioner waives confidentiality of the protected person's address which is:

☐ **Surrender of Weapons**

Respondent shall immediately surrender any firearms and other dangerous weapons to the person or agency named in the Order to Surrender Weapons (Issued without Notice) signed by the court on this date, under this cause number.

- The respondent is directed to appear and show cause why the court should not enter an order for protection effective for one year or more and order the relief requested by the petitioner or other relief the court deems proper, which may include payment of costs.
- **Failure to appear at the hearing or to otherwise respond will result in the court issuing an order for protection – stalking pursuant to RCW Title 7.92, effective for a minimum of one year from the date of the hearing. The next hearing date and time is shown below the caption on page one.**
- The respondent may petition the court to modify or terminate the order if the respondent does not receive actual prior notice of the hearing and if the respondent alleges a meritorious defense to the order or that the order or its remedy is not authorized by this chapter.

**Warning to the Respondent:** A knowing violation of this stalking protection order is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest. ***You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions.*** You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order.

A knowing violation of this order is punishable under RCW 26.50.110.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

#### WACIC Data Entry

It is ordered that the clerk of court shall forward a copy of this order on or before the next judicial day to: BANBIDGE IS. ☐ County Sheriff's Office ☒ Police Department where petitioner lives which shall enter it in the Washington Crime Information Center.

#### Service

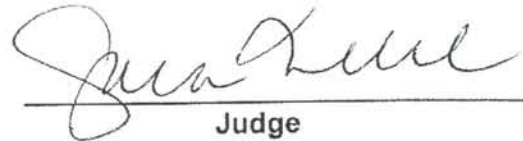
☒ The clerk of court ☐ petitioner shall forward a copy of this order on or before the next judicial day to: BANBIDGE IS. ☐ County Sheriff's Office ☒ Police Department where respondent lives which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.

Or ☐ Petitioner has made private arrangements for service of this order.

Or ☐ Respondent appeared; further service is not required.

This order is in effect until the next hearing date and time shown below the caption on page one.

Dated 3/13/17 at 2:35 a.m./p.m.

  
Judge

Presented by:

I acknowledge receipt of a copy of this Order:

Clarence Moriwaki 3/13/2017  
Petitioner/Petitioner's Lawyer Date

\_\_\_\_\_  
Respondent Date

CLARENCE MORIWAKI  
Please print WSBA NO. \_\_\_\_\_

\_\_\_\_\_  
Please Print

Petitioner or Petitioner's Lawyer must complete a Law Enforcement Information Sheet.

# EXHIBIT C



**Alexander Savojni**

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**From:** Alexander Takos <atakos@co.kitsap.wa.us>  
**Sent:** Thursday, June 15, 2017 10:43 AM  
**To:** Alexander Savojni  
**Subject:** RE: Richard Lee Rynearson - Case Report: I17-000145

Alex,

I am not formally declining it and I am not going to charge it at this time. I am going to sit on it with the hope that Mr. Rynearson abides by the NCO that's in place. If I get any future referrals, I will revisit the charging decision.

That is all the information I can provide.

Thanks,

-Alex

**Alexander C. Takos**  
Deputy Prosecuting Attorney  
Kitsap County Prosecuting Attorney's Office  
[atakos@co.kitsap.wa.us](mailto:atakos@co.kitsap.wa.us)  
Phone: (360) 337-5680  
Fax: (360) 337-4949

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**From:** Alexander Savojni [mailto:[alexander@rhodeslegalgroup.com](mailto:alexander@rhodeslegalgroup.com)]  
**Sent:** Thursday, June 15, 2017 10:10 AM  
**To:** Alexander Takos <atakos@co.kitsap.wa.us>  
**Subject:** RE: Richard Lee Rynearson - Case Report: I17-000145

Alex,

Sorry to be a pest but my other Bainbridge Island case is circling back around next week and I know the Judge will want a status update on whether charges are going to be filed or not. Do you happen to have an idea when a decision will be made?

Thanks.

**Alexander Savojni**  
**Attorney at Law**  
**Rhodes Legal Group, PLLC**